

**MINUTES OF
MISSISSIPPI TORT CLAIMS BOARD
THURSDAY, JANUARY 14, 2016**

The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

P. Ryan Beckett, Chairman
Jackson, Laura; Deputy State Treasurer, Representing Treasurer Lynn Fitch
Kelsey, Christina; Representing Insurance Commissioner Mike Chaney, MS Insurance
Department
Upchurch, Kevin; Executive Director, MS Department of Finance and Administration
Whitley, Onetta; Deputy Attorney General, Representing Attorney General Jim Hood

Also present were:

Donaldson, Bruce; Tort Claims Board
Hopson, Senator Briggs; Senate
Kelly, Trina; Tort Claims Board
Logan, Jim; Tort Claims Board
McElroy, Lea Ann; Tort Claims Board
Younger, Jim; Department of Public Safety
Wilson, Jeff; Trinity Capital Investors
Woodcock, J. D. "Woody"; Attorney General's Office

The Chairman called the meeting to order.

Motion was made by Mr. Upchurch to approve the minutes of the November 12, 2015, meeting. Mrs. Kelsey seconded the motion, which passed unanimously.

There was no Old Business.

In New Business, Mrs. McElroy presented a staff recommendation to increase the bodily injury settlement authority for CCMSI from \$5,000 to \$10,000, bringing it level to their current property damage authority. The Board does retain the right to change the levels based on staffing and performance. A motion was made by Mr. Upchurch to approve the recommendation, which was seconded by Mrs. Whitley and passed unanimously.

Mr. Logan presented the financial report for fiscal year 2016 through December 31, 2015. The Cash Flow Analysis details assessment revenue of \$3.5 million (approximately 80% of the total assessment), total revenue of \$5 million, and total expenditures of \$3.8 million. Mr. Logan advised that we have total funds of \$15.2 million, including \$9.1 million in reserves and \$6.1

million in unencumbered funds. We have paid claim losses totaling \$1.5 million to-date, legal expenses of \$348,681 and other expenses of \$13,171. The average claim paid is just under \$4,000 and the average reserve is just over \$13,000. The Budget Comparison Report details 25% of allotted budget expended, with 50% or less spent in each category through the first allotment period.

Mr. Wilson presented the investment report through December 2015. The portfolio currently has just over \$13 million invested with a market value of just under \$12.9 million. The internal rate of return is just over 2%, the current book yield is 1.6%, and the market yield of the portfolio is just over 2%. The portfolio has earned just under \$200,000 for calendar year 2015. In the Performance Report, we see the internal rate of return at 2.06% and the total return for 2015 at 2.38%. Comparing our earnings to the index, we are down about 80 basis points for the internal rate of return, and up about 80 basis points for the total return. Looking at the portfolio composition, at the end of the year we were over-invested in Treasuries because we had to get back within guidelines for mortgage-backed securities. Lastly, we are moving away from managing this portfolio like a traditional tort portfolio, move away from having a large amount of money due in the first 12 months, and push that out 2-4 years.

In Mr. Milner's absence, the Board received his report for information purposes.

Mrs. McElroy presented two (2) attorneys for inclusion in the approved Attorney Register: Ashley Nobile Lane of Gore, Kilpatrick & Dambrino, PLLC in Grenada and Courtney Leyes Tomlinson of Fisher & Phillips, LLP in Gulfport. Both meet the eligibility requirements of the Board and staff recommends approval. Mrs. Whitley moved to approve and Mrs. Jackson seconded. The motion passed unanimously.

Mrs. McElroy presented a list of 27 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mr. Upchurch made a motion to approve the list and Mrs. Jackson seconded the motion, which passed by unanimous vote.

Mrs. Whitley made a motion for the Board to enter Closed Determination Session to determine if there is sufficient subject matter with which to enter Executive Session. Mr. Upchurch seconded the motion, which passed. Mr. Upchurch then made a motion to set the agenda to discuss litigation strategies relative to agenda items VIII and IX. Mrs. Kelsey seconded the motion, which passed. Mrs. Whitley then made a motion that based on the agenda, the Board does have sufficient cause to enter Executive Session. That motion was seconded by Mr. Upchurch and passed. Lastly, the Chairman announced the agenda and Mr. Upchurch made a motion for the Board to enter Executive Session, which was seconded by Mrs. Jackson and passed unanimously. Mr. Sumrall and Mr. Woodcock made reports to the Board. Mr. Upchurch then made a motion to exit Executive Session. Mrs. Kelsey seconded the motion, and the motion passed with a unanimous vote.

Mr. Woodcock announced his retirement effective June 30, 2016.

There being no further business to come before the Board, the meeting was adjourned.



P. RYAN BECKETT, CHAIRMAN



MIKE CHANEY, BOARD MEMBER



LYNN FITCH, BOARD MEMBER

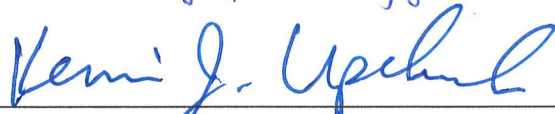
JIM HOOD, BOARD MEMBER

GARY RIKARD, BOARD MEMBER



ALBERT SANTA CRUZ, BOARD MEMBER

by James W. Page, Jr.



KEVIN J. UPCHURCH, BOARD MEMBER

Mississippi Tort Claims Board
Thursday, January 14, 2016 – 1:30 P.M.

AGENDA

- I.** Approval of Minutes
 - A. November 12, 2015
- II.** Old Business
- III.** New Business
 - A. Third Party Administrator's Settlement Authority
- IV.** Financial Reports
 - A. Financial Report – Jim Logan
 - B. Investment Report – Jeff Wilson
- V.** Loss Control – Steve Milner
- VI.** Attorney General's Report – Lea Ann McElroy
- VII.** Certificates of Coverage – Lea Ann McElroy
- VIII.** Claims Report – Bruce Donaldson
 - A. Estate of Woods & Lindsey vs. Mississippi Department of Transportation
 - B. Steven Allen vs. Mississippi Department of Transportation
 - C. Estate of Clayton Johnson vs. Mississippi Department of Transportation
 - D. Matthew Kelly vs. Mississippi Department of Transportation
 - E. Marquon Moore vs. Mississippi Department of Mental Health
- IX.** Continued Discussion of Litigation Strategies
- X.** Adjournment

Next meeting date and time: March 10, 2016 – 1:30 P.M.
Meeting location: Suite 138, Conference Center North, Woolfolk Building, Jackson, MS

**MINUTES OF
MISSISSIPPI TORT CLAIMS BOARD
THURSDAY, NOVEMBER 12, 2015**

The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

P. Ryan Beckett, Chairman
Chaney, Mike; Commissioner, MS Insurance Department
Jackson, Laura; Deputy State Treasurer, Representing Treasurer Lynn Fitch
Kelsey, Christina; Representing Insurance Commissioner Mike Chaney, MS Insurance Department
Lanford, Mike; Deputy Attorney General, Representing Attorney General Jim Hood
Upchurch, Kevin; Executive Director, MS Department of Finance and Administration

Also present were:

Davis, Thomas; Office of the State Treasurer
Donaldson, Bruce; Tort Claims Board
Kelly, Trina; Tort Claims Board
Logan, Jim; Tort Claims Board
McElroy, Lea Ann; Tort Claims Board
Milner, Steve; Tort Claims Board
Montague, Brian; Law Offices of Brian A. Montague
Preziosi, Misti; Office of the State Treasurer
Rayburn, Amanda; Cannon Cochran Management Services, Inc.
Younger, Jim; Department of Public Safety
Woodcock, J. D. "Woody"; Attorney General's Office

The Chairman called the meeting to order.

Motion was made by Mr. Lanford to approve the minutes of the September 17, 2015, meeting. Mrs. Kelsey seconded the motion, which passed unanimously.

In Old Business, Misti Preziosi presented the Investment Policy which was amended following meeting with Investment Manager, Jeff Wilson. Mrs. Jackson made a motion to accept the Investment Policy as amended. Mr. Lanford seconded the motion, which passed unanimously.

In New Business, Board members reviewed the meeting dates for 2016. No conflicts were noted, so at present, the schedule will stand as noted.

Mr. Logan presented the financial report for fiscal year 2016 through October 31, 2015. The Cash Flow Analysis details assessment revenue of just under \$3 million (of a \$4.5 million total assessment) and expenditures of \$2.3 million. Mr. Logan advised that we have total funds of \$15.7 million, including \$10.2 million in reserves and \$5.5 million in unencumbered funds. We have paid claim losses totaling \$825,182 to-date, legal expenses of \$173,651 and other expenses of \$10,224. The average claim paid is \$2,797 and the average reserve is \$13,010. The Budget Comparison Report details 16% of allotted budget expended.

Mr. Logan also presented the investment report through October 2015. The portfolio currently has just under \$13 million invested. The internal rate of return for the calendar year is 1.21%, the current book yield is 1.81%, and the market yield of the portfolio is 1.74%. The weighted average life of the portfolio is approximately 2.5 years. The portfolio has earned just over \$154,000 for calendar year 2015, and over \$35,000 for the fiscal year. The portfolio is earning just over 1.2% compared to an index of 2.42%. On the total return, the portfolio grew at 2.56% while the index was 1.96%. With regard portfolio composition, Mortgage Backed Securities currently sit at 37% and that will come down to 30% by December 31 to stay in line with the Investment Policy.

[Commissioner Chaney entered the meeting.]

Mr. Milner provided members a report of his Loss Control activities since the last Board meeting. Most notable are the 14 days of Mississippi State Fair duty in October. While we do not know attendance figures at this time, we report only one claim arising from the event.

No Attorney General's Report.

Mrs. McElroy presented a list of 136 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mr. Lanford made a motion to approve the list and Mrs. Jackson seconded the motion, which passed by unanimous vote.


Mrs. McElroy also presented a recommendation to approve the Mississippi School Boards Association (MSBA) Liability Trust for renewal. Membership has increased somewhat, combined projected losses are below projections, funding exceeds the 90% level, and MSBA will be required to continue quarterly reporting for the next year. Mr. Lanford made a motion to accept the staff recommendation for renewal. Mrs. Jackson seconded the motion, which passed by unanimous vote.

Lastly, Mrs. McElroy presented a proposal from Singing River Health Systems to increase their deposit schedule from \$100,000 to \$123,393 for the next eight (8) months to get them to the 90% funding level by June 30, 2016. Following discussion, Mr. Lanford made a motion to approve the proposal, which was seconded by Mrs. Jackson. The motion passed unanimously.

Mr. Lanford made a motion for the Board to enter Closed Session for the discussion of possible litigation. Mrs. Jackson seconded the motion, which passed. Commissioner Chaney then made a motion to set the agenda to discuss litigation strategies relative to agenda items VIII

and IX. Mrs. Jackson seconded the motion, which passed. Lastly, Mr. Lanford made a motion for the Board to enter Executive Session, which was again seconded by Mrs. Jackson and passed unanimously. Chairman Beckett asked all visitors to clear the room. [Mr. Upchurch entered the meeting.] Mr. Sumrall and Mr. Woodcock made reports to the Board. Commissioner Chaney then made a motion to exit Executive Session. Mrs. Jackson seconded the motion, and the motion passed with a unanimous vote.

There being no further business to come before the Board, the meeting was adjourned.



P. RYAN BECKETT, CHAIRMAN



MIKE CHANEY, BOARD MEMBER



LYNN FITCH, BOARD MEMBER



JIM HOOD, BOARD MEMBER

GARY RIKARD, BOARD MEMBER



ALBERT SANTA CRUZ, BOARD MEMBER

by James W. Jorgensen



KEVIN J. UPCHURCH, BOARD MEMBER



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD
P. RYAN BECKETT, CHAIRMAN

MIKE CHANEY, Commissioner
Insurance Department
LYNN FITCH, Treasurer
Department of Treasury
JIM HOOD, Attorney General
Office of Attorney General

GARY RIKARD, Executive Director
Department of Environmental Quality
ALBERT SANTA CRUZ, Commissioner
Department of Public Safety
KEVIN J. UPCHURCH, Executive Director
Department of Finance and Administration

MEMORANDUM

TO: MS Tort Claims Board
FROM: Lea Ann McElroy
DATE: January 14, 2016
RE: Increased BI settlement authority for CCMSI

RECOMMENDATION: Staff recommends increasing the bodily injury settlement authority for CCMSI from \$5,000 to \$10,000

- CCMSI has been our TPA since 2005, and we continue to be pleased with their performance.
- We have very open lines of communication with them.
- Their staff is stable, understands the Tort Claims Act/our claim rationale, and reports to Bruce every 30 days on every claim with a BI reserve of \$5,000 or more.
- Current PD authority is \$10,000, so this would bring BI in line.
- The increase will allow Bruce more time to focus on litigation cases.
- We retain the right to change these authority levels based on staffing and performance.

MISSISSIPPI TORT CLAIMS BOARD
Combined Financial Report - Fiscal Year 2016
Fund 3080

-----CASH FLOW ANALYSIS-----

	November	December	Year-To-Date
REVENUE:			
Assessments Received	210,264.94	279,373.86	3,455,607.97
Interest	2,042.74	2,544.40	6,849.59
Investment Interest	25,229.85	16,407.25	129,182.20
Sale of Scrap	0.00	0.00	512.00
Transfer In Funds	500,000.00	0.00	1,500,000.00
Total Revenue	\$ 737,537.53	\$ 298,325.51	\$ 5,092,151.76
EXPENSES:			
Claim Losses - TCB and TPA	671,404.24	66,005.66	1,562,592.72
Legal Expenses - TCB and TPA	85,308.41	89,721.75	348,681.11
Other Expenses - TCB and TPA	2,180.71	765.90	13,170.93
Administrative Expenses Paid	65,666.19	51,594.38	412,753.84
Transfer of Funds - Out	500,000.00	0.00	1,500,000.00
Total Expenses	\$ 1,324,559.55	\$ 208,087.69	\$ 3,837,198.60
FUNDS ON HAND:			
Beginning Balance	\$ 15,758,349.07	\$ 15,171,327.05	
Revenue	737,537.53	298,325.51	
Expenses	(1,324,559.55)	(208,087.69)	
Adjustments	0.00	0.00	
Total Funds	\$ 15,171,327.05	\$ 15,261,564.87	
Cash in Treasury	\$ 2,206,340.64	\$ 2,357,665.42	
Investment in Treasury	\$ 12,783,301.00	\$ 12,783,301.00	
TPA Trustmark Bank Balance	181,685.41	120,598.45	
Total Funds By Account	\$ 15,171,327.05	\$ 15,261,564.87	
Less Reserves	\$ 9,490,082.98	\$ 9,144,983.39	
Unencumbered Funds Available	\$ 5,681,244.07	\$ 6,116,581.48	

-----CLAIMS/RESERVES DETAIL (Year-To-Date)----

	Tort Board	Mgt. Services	TOTAL
Claims - Payments	\$ 44,937.48	\$ 1,517,655.24	\$ 1,562,592.72
Claims - Legal Expenses	346,048.61	2,632.50	348,681.11
Claims - Other Expenses	-	13,170.93	13,170.93
Total Paid Out to Date	\$ 390,986.09	\$ 1,533,458.67	\$ 1,924,444.76
OUTSTANDING RESERVES	624,211.75	8,520,771.64	9,144,983.39
Total Claims & Reserves	\$ 1,015,197.84	\$ 10,054,230.31	11,069,428.15
Number of Claims Created	313	305	618
Number of Claims Paid	120	274	394
Total Open Claims	207	494	701
AVG. CLAIM \$ / # CLAIMS PAID	\$374.48	\$5,538.89	\$ 3,965.97
AVG. RESERVE / OPEN CLAIMS	\$3,015.52	\$17,248.53	\$ 13,045.63

NOTE: Information represents combined operations for Treasury Fund 3080 and the Trustmark account (utilized by CCMSI).

MISSISSIPPI TORT CLAIMS BOARD

Budget Comparison Report

Treasury Fund 3080

Fiscal Year 2016

Expenses:	Total Budget	November 2015	December 2015	Year To Date Expenditures	Ending Balance	Percent Expended
A1-Salaries	\$ 555,000.00	\$ 46,028.12	\$ 46,025.91	\$ 277,451.84	\$ 277,548.16	49.99%
A2-Travel	8,000.00	356.79	82.80	1,777.82	6,222.18	22.22%
B-Contractual	4,727,706.00	103,937.59	92,402.47	477,908.61	4,249,797.39	10.11%
C-Commodities	8,300.00	602.20	161.55	1,437.53	6,862.47	17.32%
D2-Capital Outlay	3,500.00	0.00	0.00	0.00	3,500.00	0.00%
E-Subsidies	3,819,924.00	507,314.95	8,309.89	1,544,937.48	2,274,986.52	40.44%
SUBTOTAL	<u>\$ 9,122,430.00</u>	<u>\$ 658,239.65</u>	<u>\$ 146,982.62</u>	<u>\$ 2,303,513.28</u>	<u>\$ 6,818,916.72</u>	<u>25.25%</u>
TPA Expended		<u>666,319.90</u>	<u>61,105.07</u>	<u>1,533,685.32</u>		
TOTAL Expended		<u>\$ 1,324,559.55</u>	<u>\$ 208,087.69</u>	<u>\$ 3,837,198.60</u>		

TRINITY

TRINITY CAPITAL INVESTORS

January 5, 2016

Ms. Lea Ann McElroy
Mississippi Tort Claims Board
P O Box 267
Jackson, MS 39205-0267

Re: December 2015 Portfolio Highlights

Total Portfolio	Book Value	\$13,040,929
	Market Value	\$12,931,832
2015 Internal Rate of Return		2.06%
Current Portfolio Book Yield		1.59%
Market Yield		2.03%
Weighted Average Life		Approximately 2.19 years
2015 YTD Earnings		196,059
Accrued Interest		35,755

PERFORMANCE REPORT
State of Mississippi Tort Claims

December 2015

Portfolio Market Value December 31, 2014	12,710,803
Contributions	
Withdrawals	
Realized Gains	8,803
Unrealized Gains	-109,097
Interest / Dividends	187,256
Portfolio Market Value December 31, 2015	12,931,832
accrued interest	35,755
Average Capital	12,929,885
Total Gain	196,059
IRR 2015	2.06%
Total Return 2015	2.38%
Current Yield	1.59%

Investment Performance Comparison

	IRR	TRA
Account	2.060%	2.38%
Custom Index	2.94%	1.51%

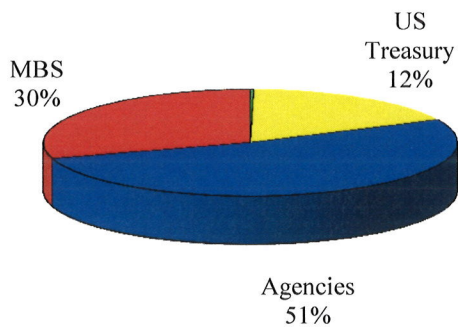
WAL of portfolio is 2.74 years

Trinity Capital Investors

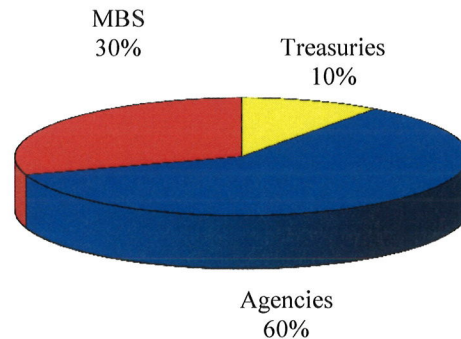
Portfolio Composition
December 2015

Security Type	Par Value 12/31/2015	Current Mix	Target 12/31/2015	Goal Mix
Cash/ Liquidity	37	0%	0	0%
US Treasury	2,300	18%	1,300	10%
Agencies	6,750	52%	7,800	60%
Bullet Maturities	500	7%	1,560	20%
Callables	6,250	93%	6,240	80%
Floater	0	0%	0	0%
MBS	3,859	30%	3,900	30%
Floater	0	0%	0	0%
CMO	3,859	100%	3,900	100%
Pass Through	0	0%	0	0%
Municipals	0	0%	0	0%
Taxable		0%	0	100%
Tax Free		0%	0	0%
TOTAL	12,946	100%	13,000	100%

**Security by Type
(Actual)**

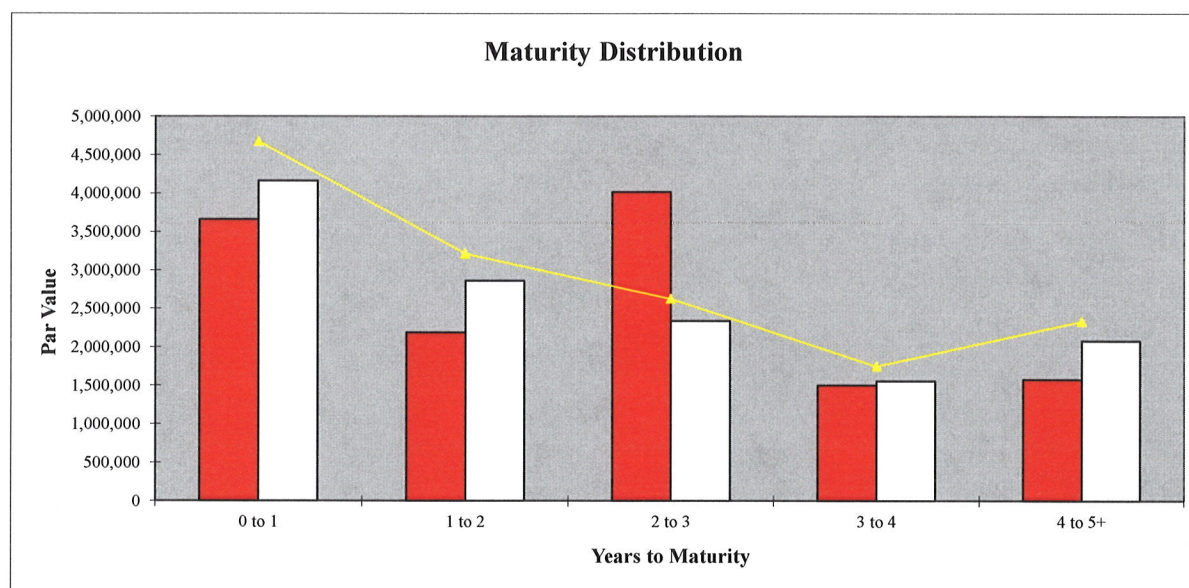


**Security by Type
(Goal)**



***Maturity Distribution
December 2015***

Years to Maturity	0 to 1	1 to 2	2 to 3	3 to 4	4 to 5+	TOTAL	WAL
Actual Par Value	3,661,705	2,187,578	4,013,153	1,505,567	1,578,013	12,946,016	2.19
Target Value Dec 2015	4,160,000	2,860,000	2,340,000	1,560,000	2,080,000	13,000,000	2.16
Claims & IBNR a/o June '15	4,672,000	3,212,000	2,628,000	1,752,000	2,336,000	14,600,000	2.16



**State of Mississippi
Tort Claims**

Trinity Capital



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD
P. RYAN BECKETT, CHAIRMAN

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JIM HOOD, Attorney General
Office of Attorney General

GARY RIKARD, Executive Director
Department of Environmental Quality
ALBERT SANTA CRUZ, Commissioner
Department of Public Safety
KEVIN J. UPCHURCH, Executive Director
Department of Finance and Administration

MEMORANDUM

TO: Mississippi Tort Claims Board
FROM: Steve Milner
DATE: January 14, 2016
RE: Loss Control Report

Since the last Board Meeting, loss control services for the Tort Claims Board include:

- 2 Ride a Longs
- 11 State Property Inspections
- 1 Emergency Response
- 1 Defensive Driving Class
- 1 Risk Management Assessment
- 1 Risk Management Consultation
- 1 Floor Monitor Training Class



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD
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ALBERT SANTA CRUZ, Commissioner
Department of Public Safety
KEVIN J. UPCHURCH, Executive Director
Department of Finance and Administration

MEMORANDUM

TO: Mississippi Tort Claims Board
FROM: Lea Ann McElroy
DATE: January 14, 2016
RE: Additions to Defense Attorney List

RECOMMENDATION: Staff recommends approval of (2) attorney for inclusion on Defense Attorney List

Honorable Ashley Nobile Lane
Gore, Kilpatrick & Dambrino, PLLC
2000 Gateway, Suite 160
Grenada, Mississippi 38901

Honorable Courtney Leyes Tomlinson
Fisher & Phillips, LLP
2505 14th Street, Suite 202
Gulfport, Mississippi 39501

ASHLEY NOBILE LANE

GORE, KILPATRICK & DAMBRINO, PLLC
2000 Gateway, Suite 160 • Post Office Box 901
Grenada, Mississippi 3890
662.226.1891
Alane@gorekilpatrick.com

EDUCATION

MISSISSIPPI COLLEGE SCHOOL OF LAW, Jackson, Mississippi
Graduated cum laude, May 2008

- Am Jur Award, Criminal Law, 2007
- Director, S.T.A.R. Program, 2008
- American Bar Association Leadership Award, 2008

UNIVERSITY OF MISSISSIPPI, Oxford, Mississippi
Psychology, 2004

EXPERIENCE

ASSOCIATE ATTORNEY January 2009 - Present
Associate Attorney at Gore, Kilpatrick & Dambrino, PLLC

- Certified Mediator (2012-Present)

LAW CLERK June 2008 - January 2009
Law Clerk for Third Chancery Court District Chancellor Vicki B. Daniels

Admitted to practice in the United States District Court for the Northern and Southern Districts of Mississippi, The United States Court of Appeals, Fifth Circuit, and United States Bankruptcy Courts

PROFESSIONAL ORGANIZATIONS

Grenada County Bar Association, President (2013-Present)
The Mississippi Bar Association
Mississippi Defense Lawyers Association
Third Chancery Court District Youth Drug Court Member (2012-Present)

CIVIC AND CHARITABLE INTERESTS

Grenada Community Foundation Board, Member (2013)
Grenada Community Foundation Board, Secretary and Executive Committee Member (2013-2015)
Junior Auxiliary of Grenada, Member (2013), Recording Secretary (2014, 2015)
Boys and Girls Club of Grenada Advisory Committee Member (2013-2015)
Elizabeth Jones Library Board of Trustees for Grenada County (2014–Present)
Grenada Sub-Deb Cotillion Sponsor (2014-Present)
Christmas in April Team Co-Captain (2013-Present)

FISHER & PHILLIPS LLP

A T T O R N E Y S A T L A W

www.laborlawyers.com

New Orleans
201 St. Charles Avenue
Suite 3710
New Orleans, LA 70170-1000

(504) 522-3303 Tel
(504) 529-3850 Fax

Writer's Direct Dial:
504-312-4429

Writer's E-mail:
sschneider@laborlawyers.com

December 4, 2015

VIA U.S. MAIL

Lea Ann McElroy, Administrator
501 North West Street, Suite 1301-C
Jackson, MS 39201

Dear Lea Ann,

It was a pleasure speaking with you earlier this week. On behalf of the law firm of Fisher & Phillips, I have attached the resume of Courtney Leyes, an associate in our Gulfport and Memphis offices who is licensed in Mississippi. She is an excellent labor and employment law attorney and I am happy to provide you with professional references if you'd like. Fisher & Phillips LLP is one of the largest firms in the country representing management exclusively in the areas of labor, employment, civil rights, employee benefits and immigration law. Since our founding in 1943, we have developed and maintained a depth and breadth of expertise that is difficult for general practice firms to match. Courtney is one of our best attorneys and will be an excellent resource for the State of Mississippi.

I would appreciate Courtney being considered for approval at the next meeting of the Mississippi Tort Claims Board. If you need any additional information, please do not hesitate to let me know.

Sincerely,



Scott D. Schneider
Partner
For FISHER & PHILLIPS LLP

SDS:bl
Enclosure

Courtney Leyes Tomlinson

Current Address: 2818 N. Parkway, #2, Memphis, Tennessee 38112

Mobile: 901.387.7143 Email: CourtneyLeyes@gmail.com

EDUCATION

University of Mississippi, Oxford, MS

May 2008 Graduate

Juris Doctor, *Magna Cum Laude*. GPA: 3.51 Rank: 25/175

University of Missouri-Columbia, Columbia, MO

May 2005 Graduate

Bachelor of Arts with Dual Majors: Political Science and History

Honors College graduate with a 3.79/4.0 cumulative GPA

Incarnate Word Academy, St. Louis, MO

May 2001 Graduate

BAR MEMBERSHIPS AND COURT ADMISSIONS

Missouri, admitted *September 2008* (Bar No. 60716)

The District of Columbia, admitted *June 2009* (Bar No. 983469)

Mississippi, admitted *September 2009* (Bar No. 103158)

Tennessee, bar application pending

U.S. District Court, Northern District of Mississippi, admitted *September 2009*

U.S. District Court, Southern District of Mississippi, admitted *September 2009*

U.S. District Court, Western District of Tennessee, admitted *July 2013*

U.S. District Court, Eastern District of Tennessee, admitted *October 2013*

Fifth Circuit Court of Appeals, admitted *September 2009*

EXPERIENCE

Associate, Fisher & Phillips, LLP, nationwide labor and employment boutique firm May 2013 – present

- Supervise junior associates on employment litigation matters.
- Manage a number of complex pieces of litigation, including five Fair Labor Standards Act collective actions.
- Investigate EEOC charges and draft Position Statements on behalf of clients.
- Provide day-to-day advice to clients regarding various employee issues.
- Provide transactional services to clients by drafting/revising employee handbooks, policies, and procedures.
- Conduct management training for clients on a variety of topics.
- Regularly present on behalf of firm to groups of Human Resources professionals on a variety of topics (*see* attached list of recent presentations).
- Handled three wage and hour audits on behalf of clients before the U.S. Department of Labor and successfully negotiated settlements on clients' behalf with the federal government.

Associate, Jones Walker, LLP, formerly Watkins, Ludlam, Winter & Stennis, P.A. August 2009 – May 2013

- Second chaired three civil jury trials, two of which were employment discrimination trials.
- Successfully drafted various dispositive motions (*see* attached list of representative matters).
- Took a number of plaintiffs' depositions and defended a number of depositions, including a 30(b)(6) deposition.
- Presented regularly on various employment issues.
- Coordinated litigation of cases independently and communicated directly with clients.

Associate, The Law Office of Denise M. Clark. Washington, DC.

September 2008 – July 2009

- Independently worked as lead attorney for 30 plus employment discrimination and employee benefits cases.
- Engaged in motions practice by both drafting and responding to various motions.
- Conducted discovery by drafting interrogatories, document requests, and conducting depositions.
- Regularly interacted with firm's clients to discuss various aspects of their cases.
- Represented clients in EEO Mediations before the federal government.

Law Clerk, Equal Employment Opportunity Commission-Office of Legal Counsel. Washington, DC.

January 2008 - April 2008

- Assisted the Assistant Legal Counsel by drafting guidance documents on a variety of employment issues.

Law Clerk, Board of Veterans Appeals. Washington, DC.

May 2007 - August 2007

- Reviewed veterans' claim files to make determinations on their respective cases.
- Assisted Veteran's Law Judges in writing veteran opinions.

Law Clerk, Tannehill & Carmean, PLLC. Oxford, MS.

June 2006 - May 2007

- Used legal knowledge to draft memos, complaints, and interrogatories for supervising attorney.
- Researched case law and statutes that specifically applied to upcoming cases.
- Used interpersonal skills to interview and meet with clients to complete discovery process.

ACTIVITIES

Northwest Mississippi Chapter, Society for Human Resource Management, Director of Membership/Director of Legislation.

May 2011 - Current

Federal Bar Association, Labor & Employment Section, Awards Chair

Sept. 2013 - Current

Mississippi Law Journal, Notes and Comments Editor.

September 2006 - May 2008

ABA Labor and Employment Law Trial Advocacy Competition.

September 2007 - November 2007

- Prepared for competition by writing opening arguments, direct and cross examination questions, as well as anticipated various evidentiary objections.
- Presented as counsel as well as a witness at competition.
- Participated as an attorney evaluator in *November 2008*.

Delta Gamma Fraternity, University of Missouri - Columbia.

August 2001 - May 2005

- University of Missouri's Homecoming Steering Committee, 2004.
- Rockin' Against Multiple Sclerosis Steering Committee, 2005.

HONORS AND AWARDS

William Gates Scholarship recipient (Mar. 2007).

- Given to one 2L student in honor of a former law student who was killed in a car accident.
- Award is given based upon a personal interview.

"Top Westlaw Student Representative" (Dec. 2006, May 2007, Dec. 2007).

REPRESENTATIVE MATTERS

- *Wright v. Custom Ecology, Inc.*, 2013 U.S. Dist. LEXIS 56433 (S.D. Miss. Apr. 19, 2013)
- *Crabb v. Wal-Mart Stores, Inc.*, 2012 U.S. Dist. LEXIS 131911 (N.D. Miss. Sept. 7, 2012)
- *Braxton v. Resorts Casino*, 2012 Miss. App. LEXIS 604 (Miss. Ct. App. Oct. 2, 2012)
- *Card v. Fred's Stores of Tenn., Inc.*, 2011 U.S. Dist. LEXIS 74502 (N.D. Miss. Jul. 11, 2011)

RECENT PRESENTATIONS AND PUBLICATIONS

- "The Times They Are A-Changin' How HR Professionals Can Handle Workplace Issues Related to Sexual Orientation and Gender Identity," HR Professionals Magazine, Jun. 18, 2014
- "Travel Pay: Master the Rules of the Travel Pay Highway to Ensure FLSA Compliance," BLR Webinar, May 15, 2014
- "Sexual Orientation Legal Issues in the Workplace - Feeling Uncertain? A Survival Guide for the HR Professional" - Mississippi State SHRM Convention, May 2014
- "Let's Talk About Sext(s) - "High Tech Sexual Harassment," HR Professionals Magazine, Aug. 2, 2014



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD
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Office of Attorney General

GARY RIKARD, Executive Director
Department of Environmental Quality
ALBERT SANTA CRUZ, Commissioner
Department of Public Safety
KEVIN J. UPCHURCH, Executive Director
Department of Finance and Administration

MEMORANDUM

TO: Mississippi Tort Claims Board
FROM: Lea Ann McElroy
DATE: January 14, 2016
RE: Political Subdivisions – Certificates of Coverage

RECOMMENDATION: Staff recommends approval of 27 political subdivisions shown on attached list.

MISSISSIPPI TORT CLAIMS BOARD

Thursday, January 14, 2016

Political Subdivisions Recommended for Renewal of Certificate of Coverage

AAA Ambulance Service, Inc.
Bayside Fire District
Belden Volunteer Fire Department, Inc.
Cedar Hill Volunteer Fire Department
Delta Regional Medical Center
George County Board of Supervisors
Hancock County Board of Supervisors
Issaquena County Board of Supervisors
Issaquena County SWCD
Kemper County School District
Kiln Utility and Fire Protection
Lamar County Board of Supervisors
Lewisburg Volunteer Fire Department
Love Volunteer Fire Department
Magnolia Regional Health Center
Mississippi Housing Authorities Risk Management, Inc.
Otter Bayou Drainage District
Panola County Firefighters Association
Pearl River Community College
Pearl River County Board of Supervisors
Runnelstown Water District
Simpson County Board of Supervisors
Smith County Board of Supervisors
South Sunflower County Hospital
City of Tupelo
Walthall County Board of Supervisors
Winston County Board of Supervisors

Total 27



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Department of Public Safety
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Department of Finance and Administration

MEMORANDUM

TO: Mississippi Tort Claims Board
FROM: Bruce Donaldson
DATE: January 14, 2016

Estate of Woods & Lindsey vs. Mississippi Department of Transportation

Steven Allen vs. Mississippi Department of Transportation

Estate of Clayton Johnson vs. Mississippi Department of Transportation

Matthew Kelly vs. Mississippi Department of Transportation

Marquon Moore vs. Mississippi Department of Mental Health